

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LOEURTH SOK,

Petitioner,

v.

KATHLEEN DENNEHY,

Respondent.

Civil Action No. 05-11358-RGS

**RESPONDENT'S ASSENTED TO MOTION FOR AN ENLARGEMENT OF TIME
WITHIN WHICH TO FILE MEMORANDUM OF LAW IN OPPOSITION TO
PETITION**

The Respondent¹ hereby respectfully moves this Court to enlarge until November 23, 2007, the time within which to file a memorandum of law in opposition to the Habeas Corpus Petition (the "Petition") filed by Petitioner Loeurth Sok (the "Petitioner") and to adjust the Petitioner's deadline for filing a reply accordingly. The Respondent's response is currently due on November 2, 2007. In support of this Motion, the Respondent states as follows:

1. The Petition arises from a 2000 conviction in the Middlesex County, Massachusetts, Superior Court.
2. The Petition includes serious allegations and references complex areas of law.
3. The undersigned counsel maintains a substantial caseload, due in part to the fact that his division has been operating at below its full staffing level. For example, in the last two

¹ Kathleen Dennehy no longer serves as Commissioner of the Massachusetts Department of Correction. The Acting Commissioner is now James R. Bender. No objection is lodged herein to substituting James R. Bender for Kathleen Dennehy as respondent. This Motion is filed on behalf of whichever Massachusetts state official serves as respondent to this action and treats all

weeks, he has filed a motion to dismiss in another habeas corpus action, argued in this Court at a hearing on the merits concerning another habeas corpus case, and participated in proceedings in the single justice session of the Massachusetts Supreme Judicial Court and the Massachusetts Superior Court. His more immediate responsibilities in addition to the instant case include the following: preparing memoranda of law in opposition to two other federal habeas corpus petitions; defending against an expedited appeal in the Massachusetts Appeals Court that has recently required emergency attention; defending against a petition for relief in the single justice session of the Massachusetts Supreme Judicial Court that has recently required emergency attention; and defending against a state administrative action.

4. In light of all the foregoing, the Respondent's counsel has not made as much progress as needed on the preparation of a memorandum of law and requires more time.

5. Allowance of the instant Motion will enable counsel for the Respondent to aid the Court most thoroughly and effectively and will not prejudice any party.

6. The Petitioner's counsel has assented to this Motion.

WHEREFORE, the Respondent requests that this Court enlarge the time within which to file a memorandum of law in opposition to the Petition until November 23, 2007, and to adjust the Petitioner's deadline for filing a reply accordingly.

those who have been named as respondent as one "Respondent." All prior filings by respondents to this action are hereby adopted by the filer of this Motion.

Respectfully submitted,

MARTHA COAKLEY
ATTORNEY GENERAL

/s/ Randall E. Ravitz
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Dated: November 2, 2007

CERTIFICATE OF COMPLIANCE PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), I hereby certify that I have conferred in good faith with opposing counsel concerning the subject of the foregoing Motion, and he has assented to the Motion.

Dated: November 2, 2007

/s/ Randall E. Ravitz
Randall E. Ravitz

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Electronic Case Filing system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on the date set forth below.

Dated: November 2, 2007

/s/ Randall E. Ravitz
Randall E. Ravitz